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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,526	11/03/2000	Gerald Horn	HORN003	6897

7590  
Gerald Horn, M.D.  
1150 Heather Road  
Deerfield, IL 60015

11/01/2002

EXAMINER

FAY, ZOHREH A

ART UNIT	PAPER NUMBER
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1614

DATE MAILED: 11/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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**NOTICE OF ABANDONMENT**

This application is abandoned in view of:

1. ☒ Applicant's failure to respond to the Office letter, mailed 2/26/02.
2. ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
3. ☐ Applicant's failure to timely file the response received \_\_\_\_\_ within the period set in the Office letter.
4. ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of \_\_\_\_\_ of the Notice of Allowance.

- ☐ The issue fee was received on \_\_\_\_\_.
- ☐ The issue fee has not been received in Allowed Files Branch as of \_\_\_\_\_.

In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17 (l), and a verified showing as to the causes of the delay.

If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of *Delgar Inc. v. Schuyler*, 172 U.S.P.Q. 513.

5. ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by \_\_\_\_\_ as required in the last Office action.  
☐ The corrected and/or substitute drawings were received on \_\_\_\_\_.
6. ☐ The reason(s) below.

JOHN FAY  
LIBRARY EXAMINER  
GROUP 1200

*John Fay*